

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

NATIONAL LABOR RELATIONS BOARD	:	
	:	
Petitioner	:	
	:	
and	:	Docket 18-1207
	:	
1199 SEIU UNITED HEALTHCARE WORKERS EAST	:	
	:	
Intervenor	:	
	:	
v.	:	Board Case Nos.:
	:	22-CA-161283
HAMILTON PARK HEALTH CARE CTR;	:	22-CA-161287
CONFIDENCE MANAGEMENT SYSTEMS AT	:	
HAMILTON PARK HEALTH CARE CENTER	:	
	:	
Respondents	:	

JUDGMENT ENFORCING AN ORDER OF THE  
NATIONAL LABOR RELATIONS BOARD

Before: JORDAN, SHWARTZ and KRAUSE, Circuit Judges

THIS CAUSE was submitted upon the application of the National Labor Relations Board for entry of a judgment against Hamilton Park Health Care Ctr. and Confidence Management Systems at Hamilton Park Health Care Ctr. enforcing its Decision and Order in Case Nos. 22-CA-161283 and 22-CA-161287, dated August 17, 2017, and reported at 365 NLRB No. 117. The National Labor Relations Board having moved for entry of a default judgment enforcing its order against Hamilton Park Health Care Ctr. and Confidence Management Systems at Hamilton Park Health Care Ctr., and the Court having considered the same, it is hereby

ORDERED AND ADJUDGED by the Court that the Respondents, Hamilton Park Health Care Ctr. and Confidence Management Systems at Hamilton Park Health Care Ctr., their officers, agents, successors, and assigns, shall abide by and

perform the directions of the Board set forth in its order. (See Attached Orders and Appendices).

Mandate shall issue forthwith.

BY THE COURT

s/Patty Shwartz  
Circuit Judge

DATED: May 7, 2018



Teste: *Patricia A. Dodge*  
Clerk, U.S. Court of Appeals for the Third Circuit

NATIONAL LABOR RELATIONS BOARD

v.

HAMILTON PARK HEALTH CARE CTR.; CONFIDENCE MANAGEMENT  
SYSTEMS AT HAMILTON PARK HEALTH CARE CTR.

**ORDER**

Hamilton Park Health Care Center, Jersey City, New Jersey, its officers, agents, successors, and assigns, shall

1. Cease and desist from
  - (a) Refusing to provide the Union with requested information that is relevant and necessary to the Union's performance of its duties as collective-bargaining representative of the Respondent Hamilton Park's employees.
  - (b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative actions necessary to effectuate the policies of the Act.
  - (a) Promptly provide the Union with: all relevant information requested by the Union in its email dated June 23, 2015, and related attachments.
  - (b) Within 14 days after service by the Region, post at its Jersey City, New Jersey facility copies of the attached notice marked "Appendix A." Copies of the notice, on forms provided by the Regional Director for Region 22, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered by any other material. In the event that, during the pendency of these proceedings, the Respondent has gone out of business or closed the

facility involved in these proceedings, the Respondent shall duplicate and mail, at its own expense, a copy of the notice to all current employees and former employees employed by the Respondent at any time since June 23, 2015.

- (c) Within 21 days after service by the Region, file with the Regional Director for Region 22 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

### **ORDER**

The Respondent Confidence Management Systems at Hamilton Park Health Care Center, Linden, New Jersey, its officers, agents, successors, and assigns, shall

1. Cease and desist from
  - (a) Refusing to provide the Union with requested information that is relevant and necessary to the Union's performance of its duties as collective-bargaining representative of the employees of Confidence Management Systems at Hamilton Park Health Care Center.
  - (b) In any like or related manner interfering with, restraining, or coercing employees in the exercise of the rights guaranteed them by Section 7 of the Act.
2. Take the following affirmative actions necessary to effectuate the policies of the Act.
  - (a) Promptly provide the Union with: all relevant information requested by the Union in its email dated June 23, 2015, and related attachments
  - (b) Within 14 days after service by the Region, post at its Jersey City, New Jersey facility copies of the attached notice marked "Appendix B." Copies of the notice, on forms provided by the Regional Director for Region 22, after being signed by the Respondent's authorized representative, shall be posted by the Respondent and maintained for 60 consecutive days in conspicuous places, including all places where notices to employees are customarily posted. In addition to physical posting of paper notices, notices shall be distributed electronically, such as by email, posting on an intranet or an internet site, and/or other electronic means, if the Respondent customarily communicates with its employees by such means. Reasonable steps shall be taken by the Respondent to ensure that the notices are not altered, defaced, or covered

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- (c) Within 21 days after service by the Region, file with the Regional Director for Region 22 a sworn certification of a responsible official on a form provided by the Region attesting to the steps that the Respondent has taken to comply.

APPENDIX A

**NOTICE TO EMPLOYEES**

POSTED PURSUANT TO A JUDGMENT OF THE  
UNITED STATES COURT OF APPEALS ENFORCING  
AN ORDER OF THE NATIONAL LABOR RELATIONS BOARD.  
An Agency of the United States Government

The National Labor Relations Board has found that we violated Federal labor law and has ordered us to post and obey this notice.

FEDERAL LAW GIVES YOU THE RIGHT TO  
Form, join, or assist a union  
Choose representatives to bargain with us on your behalf  
Act together with other employees for your benefit and protection  
Choose not to engage in any of these protected activities.

WE WILL NOT refuse to provide the Union with requested information that is relevant and necessary to the Union's performance of its duties as collective-bargaining representative.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL promptly provide the Union with all relevant information requested in its email dated June 23, 2016, and related attachments.

**HAMILTON PARK HEALTH CARE CENTER**

The Administrative Law Judge's decision can be found at [www.nlrb.gov/case/22-CA-161287](http://www.nlrb.gov/case/22-CA-161287) or by using the QR code below. Alternatively, you can obtain a copy of the decision from the Executive Secretary, National Labor Relations Board, 1015 Half Street, S.E., Washington, D.C. 20570, or by calling (202) 273-1940.



APPENDIX B

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WE WILL NOT refuse to provide the Union with requested information that is relevant and necessary to the Union's performance of its duties as collective-bargaining representative.

WE WILL NOT in any like or related manner interfere with, restrain, or coerce you in the exercise of the rights listed above.

WE WILL promptly provide the Union with all relevant information requested in its email dated June 23, 2016, and related attachments.

CONFIDENCE MANAGEMENT SYSTEMS  
AT HAMILTON PARK HEALTH CARE CENTER

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